

MISSOURI COURT OF APPEALS EASTERN DIVISION
OPINION SUMMARY

CLEVE L. MOLETTE,)	No. ED102517
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	Honorable Maura B. McShane
DARREN WILSON,)	
)	
Respondent.)	FILED: September 1, 2015

Appellant Cleve Molette (“Molette”) appeals from a trial court order dismissing his affidavit without further action. Molette filed this affidavit with the trial court under Section 545.250. This Section allows private citizens to submit affidavits detailing crimes for use by the prosecuting attorney. On appeal, Murray argues that the trial court violated his due-process rights in dismissing his affidavit without notice or an opportunity to be heard. Because Molette did not bring a proper action in circuit court, his case is hereby dismissed.

DISMISSED.

DIVISION FOUR HOLDS: Molette lacks capacity to prosecute this action in the name of the State of Missouri because no statutory authority authorizes him to do so. Because Molette lacked capacity to prosecute this action, the matter was not properly before the Circuit Court and is not properly before this Court.

Opinion by: Kurt S. Odenwald, J.
Cohen, J., concur.

Sherri B. Sullivan, P.J., and Patricia L.

Attorney for Appellant: Cleve L. Molette, Pro Se

Attorney for Respondent: Darren Wilson, Pro Se

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.
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